

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 A-01 MMO-01 SY-05 CPR-03 SS-15
SSO-00 NSCE-00 CIAE-00 INR-10 NSAE-00 INRE-00 H-01
L-03 PER-01 IO-13 PA-01 SP-02 /069 W
-----116428 201408Z /41
O 201352Z JUL 78
FM AMEMBASSY MOSCOW
TO SECSTATE WASHDC IMMEDIATE 4561
INFO AMCONSUL LENINGRAD

C O N F I D E N T I A L SECTION 01 OF 02 MOSCOW 16993

E.O. 11652: GDS
TAGS: PDIP, UR, US
SUBJECT: ATTACK ON EMBOFF AND VIOLATION OF EMBASSY EXTRA-
TERRITORIALITY BY SOVIET MILITIA

1. EMBASSY SECOND SECRETARY RAYMOND F. SMITH WAS GRABBED
FROM BEHIND BY SOVIET MILITIA MAN WHILE PASSING THROUGH
NORTH WING EMBASSY GATE AT APPROXIMATELY NOON, JULY 20.
MILITIA MAN, WHO MAY NOT HAVE REALIZED THAT SMITH WAS
U.S. DIPLOMAT, TRIED TO DRAG HIM BODILY BACK THROUGH
GATE (HE WAS ALREADY ON EMBASSY PROPERTY), TEARING HIS
JACKET IN PROCESS. SMITH RESISTED ATTACK, WHILE
ATTEMPTING TO BACK FURTHER ONTO EMBASSY PROPERTY.
MILITIA MAN REFUSED TO RELEASE SMITH, ULTIMATELY
ENTERING MORE THAN TEN FEET ONTO EMBASSY PROPERTY.
HE WAS THERE JOINED BY ANOTHER SECURITY PERSON IN
CIVILIAN DRESS AND THE TWO SUCCEEDED IN DRAGGING SMITH,
WHO WAS TELLING THEM IN BOTH ENGLISH AND RUSSIAN THAT
HE WAS AN AMERICAN DIPLOMAT AND THAT THEY WERE IN THE
U.S. EMBASSY, BACK OUT ONTO STREET. ANOTHER UNIFORMED
MILITIA EMBASSY GUARD APPARENTLY RECOGNIZED SMITH AND
ORDERED HIM RELEASED. SMITH AND CONSOFF REMONSTRATED
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ON SPOT WITH MILITIA CONCERNING BOTH THE ATTACK AND
THE VIOLATION OF EMBASSY EXTRA-TERRITORIALITY.
2. EMBASSY BELIEVES BOTH VIOLATIONS (I.E. VIOLATION OF
PERSON AND OF PROPERTY) MUST BE PROTESTED STRONGLY.
EMBASSY IS DELIVERING PROTEST NOTE IMMEDIATELY, TEXT
OF WHICH IS GIVEN BELOW. EMBASSY RECOMMENDS THAT
DEPARTMENT CALL IN SOVIET EMBASSY AT APPROPRIATE LEVEL

TO DELIVER ANALOGOUS PROTEST.

3. BEGIN TEXT. THE EMBASSY OF THE UNITED STATES OF AMERICA STRONGLY PROTESTS TO THE MINISTRY OF FOREIGN AFFAIRS OF THE UNION OF SOVIET SOCIALIST REPUBLICS THE PHYSICAL ATTACK ON A UNITED STATES DIPLOMAT AND THE VIOLATION OF EMBASSY PROPERTY BY A UNIFORMED MILITIA OFFICER STATIONED AT THE GATES OF THE EMBASSY AND A PERSON DRESSED IN CIVILIAN CLOTHING WHO IS ALSO APPARENTLY A MEMBER OF THE SOVIET SECURITY SERVICES.

AT APPROXIMATELY NOON ON JULY 20, 1978, EMBASSY SECOND SECRETARY RAYMOND F. SMITH ENTERED THE EMBASSY THROUGH THE GATE AT ITS NORTH WING. AS HE ENTERED, THE MILITIA MAN ON DUTY APPROACHED AND SAID SOMETHING WHICH MR. SMITH DID NOT UNDERSTAND AND IMMEDIATELY AFTER SMITH'S ENTRY INTO EMBASSY PROPERTY, GRABBED HIM BY THE JACKET AND ARMS, RIPPING HIS JACKET IN THE PROCESS, SWUNG HIM AROUND AND TRIED TO PULL HIM BACK OUT THROUGH THE GATES AND OFF EMBASSY PROPERTY. MR. SMITH, ATTEMPTING TO PROTECT HIS PERSON, BACKED FURTHER ONTO EMBASSY PROPERTY. THE MILITIA MAN PURSUED MR. SMITH ONTO EMBASSY GROUNDS A DISTANCE OF ABOUT FIFTEEN FEET INSIDE THE GATE, REFUSED TO RELEASE HIM AND STRUGGLED WITH HIM IN ATTEMPTING TO DRAG HIM BACK OUT ONTO THE STREET, POSITIONING HIMSELF BETWEEN MR. SMITH AND THE EMBASSY BUILDING SO THAT MR. SMITH COULD NOT

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GO AROUND HIM.

AT THIS POINT, ANOTHER SOVIET CITIZEN, DRESSED IN CIVILIAN CLOTHES, ALSO RAN THROUGH THE GATES OF THE EMBASSY, ENTERED TO WHERE THE MILITIA MAN AND MR. SMITH WERE STANDING SOME FIFTEEN FEET INSIDE THE GATE AND GRABBED MR. SMITH. THE TWO PERSONS THEN SUCCEEDED IN PHYSICALLY DRAGGING MR. SMITH BACK THROUGH THE EMBASSY GATES, DESPITE HIS REPEATED CRIES IN ENGLISH AND RUSSIAN THAT HE WAS AN AMERICAN DIPLOMAT AND THAT THEY WERE ON U.S. EMBASSY PROPERTY. ANOTHER UNIFORMED MILITIA OFFICER RAN UP TO THE SCENE AND, APPARENTLY RECOGNIZING MR. SMITH, TOLD THE TWO WHO WERE HOLDING HIM TO RELEASE HIM, WHICH THEY THEN DID.

MR. SMITH, LATER JOINED BY CONSULAR OFFICER RICHARD CARTER, DEMANDED AN EXPLANATION ON THE SPOT FOR THIS BEHAVIOR, RECEIVING NONE EXCEPT THAT THE MILITIA MAN WAS NEW ON THE JOB AND HAD NOT RECOGNIZED MR. SMITH. MR. SMITH POINTED OUT THAT THE QUESTION OF WHETHER OR NOT THE MILITIA MAN RECOGNIZED HIM WAS IRRELEVANT IN VIEW OF THE FACT THAT HE HAD BEEN ON EMBASSY PROPERTY.

THIS IS THE LATEST AND MOST SERIOUS INCIDENT IN A LONG SERIES OF EXAMPLES OF IMPROPER BEHAVIOR BY MILITIA STATIONED AT THE ENTRANCES TO THE EMBASSY. IN ADDITION TO THE PHYSICAL ASSAULT ON A UNITED STATES DIPLOMAT, THE INCIDENT INCLUDED A GROSS AND DELIBERATE VIOLATION OF THE EMBASSY'S EXTRA-TERRITORIAL STATUS, NOT ONLY BY THE UNIFORMED MILITIA MAN INITIALLY INVOLVED IN THE INCIDENT, BUT BY ANOTHER SECURITY EMPLOYEE IN CIVILIAN DRESS WHO RAN ONTO EMBASSY PROPERTY AS THE INCIDENT PROGRESSED.

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C O N F I D E N T I A L SECTION 02 OF 02 MOSCOW 16993

THIS EMBASSY HAS REPEATEDLY PROTESTED SUCH IMPROPER BEHAVIOR, BUT THE MINISTRY HAS FAILED TO TAKE STEPS TO END IT AND, INDEED, THIS LATEST VIOLATION OF INTERNATIONAL NORMS OF BEHAVIOR SURPASSES PREVIOUS INCIDENTS IN THE IMPUDENCE WITH WHICH SOVIET OFFICIALS VIOLATED DIPLOMATIC RIGHTS.

THE EMBASSY PROTESTS IN THE STRONGEST TERMS THIS OUTRAGEOUS VIOLATION OF THE PERSON OF ONE OF ITS DIPLOMATS AND OF THE EMBASSY'S EXTRA-TERRITORIALITY. IT DEMANDS THAT EFFECTIVE STEPS BE TAKEN BY THE SOVIET GOVERNMENT TO ENSURE THAT ITS OFFICIALS ACT IN ACCORD WITH ESTABLISHED DIPLOMATIC NORMS AND THE SPECIFIC INTERNATIONAL OBLIGATIONS THE SOVIET GOVERNMENT HAS FORMALLY ASSUMED FOR THE PROTECTION OF DIPLOMATS AND THE IMMUNITY OF DIPLOMATIC PREMISES. THE EMBASSY

REQUESTS AN OFFICIAL REPORT OF THE DISCIPLINARY
ACTION TAKEN AGAINST THE SOVIET OFFICIALS INVOLVED
AND A DESCRIPTION OF THE CONCRETE STEPS TAKEN TO
PREVENT A REPETITION OF SUCH OCCURRENCES. THE
EMBASSY RESERVES THE RIGHT TO SEEK RECOMPENSE FOR
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THE MATERIAL AND PHYSICAL DAMAGE PERPETRATED BY SOVIET
OFFICIALS ON EMBASSY PROPERTY. END TEXT. MATLOCK

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